

placing an umbilical cord segment in the umbilical cord sampling device 10 (see figs. 1-2);

penetrating a fluid-containing lumen of the umbilical cord segment with a sampling needle 28 (see fig. 3);

collecting the fluid in a sampling reservoir.

Gruenberg discloses a method, as described above, that teaches all the limitations of the claim except Gruenberg does not teach a step of analyzing the collected fluid to determine values of physiological parameters. However, Hessel et al. disclose a method comprising the step of analyzing a collected fluid with a probe to determine values of physiological parameters; wherein the method comprising measuring fluid with a sensor (probe); wherein the method comprises measuring blood gas value (i.e. saturated oxygen measurements); wherein the method comprises measuring blood pH (see column 10/lines 56-66). It would have been obvious to one of ordinary skill in the art at the time Applicant's invention was made to provide a sensor similar to that of Hessel et al. in order to make measurement of the blood (see Hessel et al., column 10/lines 59-60).

13. Claims 17 and 20-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gruenberg ('646) in view of Hessel et al. ('699) further in view of Aceti et al. (US Patent No. 6,540,675).

Gruenberg as modified by Hessel et al. discloses a method, as described above, that teaches all the limitations of the claims except Gruenberg as modified by Hessel et al. does not disclose measuring a blood analyte or communicating values to a

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computer. However, Aceti et al. discloses a method comprising the steps of disclose measuring a blood analyte (i.e. glucose) and communicating values to a computer (see column 3/lines 13-14 & 21-25; column 9/lines 62-64; column 10/lines 9-16, 42-45 & 56-59; column 11/lines 26-37 & 56-60).

It would have been obvious to one of ordinary skill in the art at the time Applicant's invention was made to provide a method similar to that of Gruenberg as modified by Hessel et al. with a step of measuring a blood analyte similar to that of Aceti et al. in order to monitor the blood analyte level (i.e. whether or not is falls within the norm).

Moreover, it would have been obvious to one of ordinary skill in the art at the time Applicant's invention was made to provide a method similar to that of Gruenberg as modified by Hessel et al. with a step of communicating the values to a computer similar to that of Aceti et al. in order to report the measured value (see Aceti et al., column 11/lines 15-25).

Conclusion

14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US Patent No. 7,025,774 to Freeman et al. discloses a tissue penetration device.

US Patent No. 6,155,991 to Beat et al. discloses an apparatus and method for collecting blood samples.

US Patent No. 5,053,025 to Knippscheer discloses a method and apparatus for extracting fluid.


US Patent No. 5,575,795 to Anderson discloses an umbilical cord holder.

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rene Towa whose telephone number is (571) 272-8758. The examiner can normally be reached on M-F, 8:00-16:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Max Hindenburg can be reached on (571) 272-4726. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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